



I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO: ASSISTANT COMMISSIONER FOR PATENTS, WASHINGTON DC 20231, ON THE DATE INDICATED BELOW

BY:

John A. Pullo

DATE:

11 September 2002

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Patent Application of : Group Art Unit 1636
Carlo M. Croce *et al.* :
: Conf. No.: 6972 :
: Appln. No: 09/513,888 : Examiner:
: Bronwen M. Loeb, Ph.D.
Filed: February 25, 2000 : Attorney Docket
Title: COMPOSITIONS, KITS AND METHODS : No. 9855-30U1
RELATING TO THE HUMAN *FEZ1* :
GENE, A NOVEL TUMOR SUPPRESSOR :
GENE :

**NOTICE OF APPEAL FROM PRIMARY EXAMINER TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES**

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the Decision dated March 11, 2002, Paper No. 19, of the Primary Examiner finally rejecting claims 100-144.

The item(s) checked below are appropriate:

- ☒ [X] A Petition for Extension of Time with extension fee (\$460.00) for three months to September 11, 2002 to respond to the final rejection was filed herewith.
- ☐ [] A Petition for Extension of Time for three months to file the Notice of Appeal and our check in the amount of \$ 460.00 for the extension fee are enclosed.
- ☐ [] Our firm's check in the amount checked below is enclosed.

- ☐ \$160.00-- a Small Entity Declaration has been filed previously in this case.
- ☐ \$320.00 -- no Small Entity Declaration is appropriate.
- ☐ Not required (fee paid in prior appeal).
- ☐ An oral hearing before the Board of Appeals is respectfully requested.
- ☐ Our firm's check in the amount indicated below is enclosed for this request for an oral hearing.
- ☐ \$140.00 - a Small Entity Declaration has been filed previously in this case.
- ☐ \$280.00 - no Small Entity Declaration is appropriate.
- ☒ The Commissioner is hereby authorized to charge Deposit Account No. 50-1017 (**Billing No. 209855.0081**) as noted below. A duplicate copy is enclosed.
- ☒ \$160.00-- a Small Entity Declaration has been filed previously in this case.
- ☐ \$320.00 -- no Small Entity Declaration is appropriate.
- ☒ Any additional required fees or any overpayments may be charged or credited to Deposit Account No. 50-1017 (one additional copy of this Notice is enclosed for accounting purposes).

11 September 2002 By: Kristyne A. Bullock
(Date) **KRISTYNE A. BULLOCK**
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Enclosures